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Attorneys for Plaintiffs and Counterclaim Defendants
BROCADE COMMUNICATIONS SYSTEMS, INC. AND
FOUNDRY NETWORKS, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BROCADE COMMUNICATIONS
SYSTEMS, INC., a Delaware corporation, and
FOUNDRY NETWORKS, LLC, a Delaware
limited liability company,

Plaintiffs and Counterclaim Defendants,
v.

A10 NETWORKS, INC., a California
corporation; LEE CHEN, an individual;
RAJKUMAR JALAN; an individual; RON
SZETO, an individual; DAVID CHEUNG, an
individual; LIANG HAN, an individual; and
STEVEN HWANG, an individual,

Defendants and Counterclaimants.

Case No. 10-cv-03428 LHK

**[CORRECTED] STIPULATION
PERMITTING COMMUNICATIONS
BETWEEN THE HONORABLE READ
AMBLER AND RULE 706 EXPERTS**

Judge: Hon. Lucy H. Koh

1 WHEREAS, the Honorable Read Ambler has been appointed the Special Master in this
2 case to resolve discovery matters and disputes (Dkt. 447);

3 WHEREAS, on January 9, 2012, the Court issued an order for the forensic inspection of
4 Ron Szeto's computer hard drives (D.I. 438);

5 WHEREAS, the parties agreed that Mr. Mark Menz would serve as the Court's forensic
6 expert to conduct the Szeto inspection (D.I. 441);

7 WHEREAS, on February 2, 2007, the Court appointed Mr. Mark Menz as its Rule 706
8 expert and further specified the forensic inspection protocol for the Szeto media (D.I. 465);

9 WHEREAS, expert discovery in this matter has begun and the parties' respective expert
10 reports were served on March 23, 2012; and

11 WHEREAS, it would be helpful to the parties and would facilitate discovery management
12 if the Special Master were authorized to communicate with the Rule 706 expert regarding the
13 progress of his work;

14 THEREFORE,

15 IT IS HEREBY STIPULATED as follows:

16 The Special Master, the Honorable Read Ambler, is hereby authorized and ordered by the
17 Court to communicate with those expert witnesses appointed by the Court pursuant to Federal
18 Rule of Evidence 706, and to report to the parties regarding such communications as appropriate
19 for the management of discovery in the action.

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21 ///

1 Dated: April 11, 2012

Respectfully Submitted,

2 ORRICK, HERRINGTON & SUTCLIFFE LLP

3
4 /s/ Annette L. Hurst

ANNETTE L. HURST

5 Attorneys for Plaintiffs and Counterclaim Defendants
6 BROCADE COMMUNICATIONS SYSTEMS, INC.
AND FOUNDRY NETWORKS, LLC

7 Dated: April 11, 2012

8 FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP

9
10 /s/ E. Robert Yoches

E. ROBERT YOCHES

11 Attorneys for Defendants and Counterclaimants
12 A10 NETWORKS, INC., LEE CHEN, RAJKUMAR
JALAN, RON SZETO, AND STEVE HWANG

13
14
15 **Filer's Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of perjury
16 that concurrence in the filing of the document has been obtained from its signatory.

17
18 Dated: April 11, 2012

Respectfully submitted,

19
20 /s/ Annette L. Hurst

ANNETTE L. HURST

21
22 **ORDER**

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24
25
26 Dated: April 13, 2012

27 
28 THE HONORABLE LUCY H. KOH
United States District Judge